

COPY

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

The City of Galena, Jo Daviess County,
Illinois, a municipal corporation,)

Petitioner,)

vs.)

Chicago, Central & Pacific Railroad
Company and The Burlington Northern
and Santa Fe Railway Company,)

Respondents.)

Petition for approval of the acquisition
of real estate in Jo Daviess County by
exercising the power of eminent domain.)

T02-0064

RECEIVED
MAR 25 2003

Illinois Commerce Commission
RAIL SAFETY SECTION

JOINT MOTION FOR CONTINUANCE

NOW COMES Petitioner, CITY OF GALENA, and Respondents, CHICAGO, CENTRAL & PACIFIC RAILROAD COMPANY and BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY, by and through their attorneys, and in support of their Joint Motion for a Continuance, states as follows:

1. The above-entitled matter is currently scheduled before the Honorable June B. Tate, Administrative Law Judge, on March 25, 2003 at 10:00 a.m.
2. Since the filing of all pleadings, substantive negotiations have been taking place related to all pending matters.
3. The City of Galena has signed a Purchase Offer related to one of the three railroad parcels in question. By agreement of the parties, the two remaining parcels are currently being appraised. It is anticipated that those appraisals will be completed within thirty (30) days.
4. Counsel, Michael J. Barron, Jr., on behalf of the Chicago, Central & Pacific Railroad Company, Canadian National, has recommended that this matter be continued so as to allow the parties to come to final agreement after the appraisals are received.
5. Counsel, Michael L. Sazdanoff, on behalf of the Burlington Northern and Santa Fe Railway Company has recommended that this matter be continued so as to allow the parties to come to final agreement after the appraisals are received.

DOCKETED

No. T02-0064

6. Counsel, Philip F. Jensen, on behalf of the City of Galena also recommends that this matter be continued so as to allow the parties to come to final agreement once the appraisals are received.
7. All parties are requesting that this matter be set for hearing sometime after May 12, 2003.

WHEREFORE, Petitioner, CITY OF GALENA, and Respondents, CHICAGO, CENTRAL & PACIFIC RAILROAD COMPANY and THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY, respectfully request that this matter be continued until sometime after May 12, 2003.

**CITY OF GALENA, Jo Daviess County
a municipal corporation, Petitioner**

BY: 

Philip F. Jensen, Its Attorney

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NOTICE OF FILING

TO: See attached Service List (all via Facsimile & U.S. Mail)

PLEASE TAKE NOTICE that we have on this 21st day of March, 2003, mailed for filing with the Illinois Commerce Commission, a Joint Motion for Continuance in the above-referenced matter, a copy of which is hereby served upon you.

**CITY OF GALENA, Jo Daviess County,
Illinois, Petitioner**

BY: 

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